

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MJ ACQUISITIONS, INC., a Michigan  
corporation,

Plaintiff,

Case No. 09-13721

v.

Honorable Patrick J. Duggan

SMS LIMITED, a Delaware corporation,  
and SMS LIMITED, a California  
corporation,

Defendants.

---

**TEMPORARY RESTRAINING ORDER**

At a session of said Court, held in the U.S.  
District Courthouse, Eastern District  
of Michigan, on October 27, 2009.

PRESENT: THE HONORABLE PATRICK J. DUGGAN  
U.S. DISTRICT COURT JUDGE

Plaintiff, MJ Acquisitions, Inc. ("Plaintiff" or "MJ Acquisitions") having filed Plaintiff's Motion for a Temporary Restraining Order and Preliminary Injunction, and the parties MJ Acquisitions and Defendant, SMS Limited, a California corporation ("SMS Limited") having appeared at the October 26 and 27 hearings of Plaintiff's Motion for a Temporary Restraining Order and Preliminary Injunction, and for the reasons stated on the record:

**IT IS ORDERED** that this Order shall become effective immediately and shall be effective through November 7, 2009, which is the end of the Specialty Equipment Market Association's 2009 SEMA Show.

**IT IS FURTHER ORDERED** that SMS Limited and its officers, employees, agents, attorneys, and marketing and publicity agents are hereby temporarily restrained from using "Saleen," "Saleen Performance Vehicles," or any word or term incorporating "Saleen" to market and/or sell SMS Limited's products, by way of example and not limitation, SMS Limited shall not refer to SMS Limited products as the "true SALEEN", or the "real SALEEN" or the "new SALEEN products." SMS Limited is not enjoined from using the name "Steve Saleen" to describe Steve Saleen's association with SMS Limited and/or as the designer of SMS Limited's products.

**IT IS FURTHER ORDERED** that SMS Limited and its officers, employees, agents, attorneys, and marketing and publicity agents are enjoined from stating that SMS products are the "real Saleen" products, or the "true Saleen" products or the "genuine Saleen" products or the "new Saleen" products.

**IT IS FURTHER ORDERED** that SMS Limited and its officers, employees, agents, attorneys, and marketing and publicity agents are enjoined from stating that Plaintiff's employees are "wannabes" or "faceless executives" or otherwise disparaging Plaintiff, its employees, officers and agents.

**IT IS FURTHER ORDERED** that SMS Limited and its officers, employees, agents, attorneys, and marketing and publicity agents are enjoined from approaching or interfering with Plaintiff's promotional activities at Plaintiff's SEMA booth or otherwise and shall stay 50 feet away from Plaintiff's booth throughout the SEMA show.

**IT IS FURTHER ORDERED** that the briefing schedule and hearing date on the preliminary injunction requested by the Plaintiff shall be as further ordered by this Court.

**SO ORDERED.**

s/Patrick J. Duggan

PATRICK J. DUGGAN  
UNITED STATES DISTRICT JUDGE

Copies to:

Joanna M. Esty  
Thomas M. Dixon  
Mark Zietlow  
Matthew W. Heron  
Martin H. Karo